

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 18-00106-01-CR-W-HFS
)	
ADRIAN D. MILLIGAN,)	
)	
Defendant.)	

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

PENDING CHARGE: On August 7, 2019, the Grand Jury returned a two-count Superseding Indictment charging that on or about April 13, 2018, the Defendant, Adrian D. Milligan, having been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess a firearm (Count I) and ammunition (Count II).

The following matters were discussed and action taken during the pretrial conference:

TRIAL COUNSEL:

Government: Matthew Aaron Moeder and Mary Kate Butterfield
Case Agent: John Straubel, Kansas City Police Department
Defense: David Harold Johnson

OUTSTANDING MOTIONS: No outstanding motions.

TRIAL WITNESSES:

Government: 7 with stipulations; 6 without stipulations
Defendant: 3 witnesses, not including the Defendant

TRIAL EXHIBITS:

Government: approximately 21 exhibits
Defendant: approximately 0 exhibits

DEFENSES: General denial.

POSSIBLE DISPOSITION:

() Definitely for trial; (X) Possibly for trial; () Likely a plea will be worked out

TRIAL TIME: 2 ½ days total

Government's case including jury selection: 2 day(s)

Defendant: ½ day(s)

STIPULATIONS: Possible stipulation as to interstate nexus and possible stipulation as to prior convictions.

UNUSUAL QUESTIONS OF LAW: None.

FILING DEADLINES:

Witness and Exhibit List

Government: Proposed Witness List and Proposed Exhibit List filed January 18, 2019. **Updated list(s) due on or before September 10, 2019.**

Defendant: Proposed Exhibit List filed January 22, 2019. Proposed Witness List filed January 28, 2019. **Updated list(s) due on or before September 10, 2019.**

Counsel are requested to list witnesses in alphabetical order on their witness list.

Exhibit Index, Voir Dire, Jury Instructions: Due on or before September 18, 2019.

Please Note: Jury instructions must comply with Local Rule 51.1

Motion in Limine: Due on or before September 18, 2019.

TRIAL SETTING: Criminal jury trial docket set for September 23, 2019.

Please note: The Government requests the first week because Government has a potential case (Defendant Lagos-Licona Case No. 19-00092-01-CR-W-RK) on the second week. Defense is available both weeks. If this matter does not result in a plea agreement, then there is a possibility that this matter may be tried to the bench. That determination will be made by September 16, 2019. Possible issue as to whether he qualifies under the Armed Career Criminal Act for a sentencing enhancement regarding a prior conviction for assault on a police officer.

IT IS SO ORDERED

/s/ Lajuana M. Counts

LAJUANA M. COUNTS

UNITED STATES MAGISTRATE JUDGE